

PATENT

ATTORNEY DOCKET N°: PTG 02-103-10
EXPRESS MAIL LABEL N°: EV 303 409 279 US

22386 U.S. PRO
10/665094
09/17/03

NONPROVISIONAL PATENT APPLICATION TRANSMITTAL LETTER

MAIL STOP PATENT APPLICATION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Transmitted herewith for filing is the patent application of:

INVENTORS:	John W. Schnell 208 Candlewood Cove Jackson, TN 38305 Citizen of United States	John M. Beville 48 Vista View Cove Jackson, TN 38305 Citizen of United States
------------	---	--

Title: **NAIL SPACING VERIFICATION ASSEMBLY**

CERTIFICATION UNDER 37 C.F.R. §1.10

I hereby certify that this Nonprovisional Patent Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date, September 17, 2003 in an envelope as "Express Mail Post Office to Addressee", Mailing Label N° EV 303 409 279 US, with sufficient postage, addressed to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Penny L. Flint
Penny L. Flint

DATED: September 17, 2003

1. Type of Application

This is a Nonprovisional Application.

2. Benefit of Prior U.S. Application(s) (35 U.S.C. § 119(e))

<u>USSN</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Status</u>
60/411,563	09/18/02	Phillips, et al.	Pending
60/471,641	05/19/03	Schnell, et al.	Pending

3. Papers Enclosed That Are Required for Filing Date under 37 C.F.R. §1.53(b) (Regular) or 37 C.F.R. §1.153 (Design) Application

Twenty (20) Pages of Specification;

Thirteen (13) Pages of Claims;

One (1) Page of Abstract; and

Five (5) Sheets of Drawing Figures.

4. Additional Papers Enclosed

Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) is attached.

5. Declaration or Oath

Signed Declaration and Power of Attorney is attached.

6. Inventorship Statement

The inventorship for all the claims in this application are the same.

7. Language

English.

8. Assignment

Signed Assignment and Recordation Form Cover Sheet are attached.

9. Certified Copy

None are required.

10. Fee Calculation (37 C.F.R. §1.16)

BASIC FEE

Standard Fee	\$750.00	\$750.00
--------------	----------	----------

EXCESS CLAIM FEE

TOTAL OVER TWENTY	56	-20	0	36	\$18.00	\$648.00
-------------------	----	-----	---	----	---------	----------

INDEPENDENT OVER THREE	6	-3	0	3	\$84.00	\$252.00
------------------------	---	----	---	---	---------	----------

MULTIPLE DEPENDENT					\$280.00	\$0.00
--------------------	--	--	--	--	----------	--------

ASSIGNMENT RECORDATION FEE				\$40.00	\$40.00	—
----------------------------	--	--	--	---------	---------	---

TOTAL FILING FEES					<u>\$1,690.00</u>	
--------------------------	--	--	--	--	--------------------------	--

11. Small Entity Status-Applicant **does not** request small entity status under 37 C.F.R. § 1.27.

12. Request for International - Type Search (37 C.F.R. §1.104(d))

None required.

13. Authorization to Charge Fees

The Commissioner is hereby authorized to charge the filing fees of **\$1,690.00** to Deposit Account N° 19-4882. Please charge any underpayments related to this filing or credit any excess to Deposit Account N° 19-4882. A copy of this *Transmittal* is enclosed for accounting purposes only.

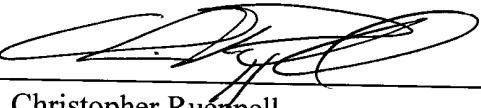
Please direct all correspondence and telephone calls to:

CUSTOMER NO. 23531
SEAN PATRICK SUITER
SUITER • WEST PC LLO
14301 FNB PARKWAY, SUITE 220
OMAHA NE 68154-5299
(402) 496-0300 (TELEPHONE)
(402) 496-0333 (TELECOPIER)

DATED: September 17, 2003.

Respectfully submitted,

John W. Schnell et al.,
Porter-Cable Corporation,

By 
R. Christopher Rueppell
Reg. N° 47,045

This Transmittal Ends With This Page.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : John W. Schnell, et al.
Express Mail N° : EV 303 409 279 US
Filed : September 17, 2003
For : **NAIL SPACING VERIFICATION ASSEMBLY**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST AND CERTIFICATION
UNDER 35 U.S.C. 122(b)(2)(B)(i)**

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Dated: September 17, 2003



R. Christopher Rueppell
Reg. N° 47,045
CUSTOMER NO. 23531

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**